

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

Case No.: CV 04-1768-PA

Date of Proceeding: July 8, 2005

Case Title: Hartford Life & Acc. Ins. Co. v. Premium Escrow et al.

Presiding Judge: Owen M. Panner

Courtroom Deputy: Margaret Hunt

Reporter: None

Tape No:       

**DOCKET ENTRY:**

Record of order:

The parties (including Hartford as amicus) have until July 22, 2005, to answer the following questions:

1. Is the life insurance policy at issue subject to ERISA?

2. If yes, is the 1996 Stipulated Judgment a "qualified domestic relations order" (QDRO)? See 29 U.S.C. § 1144(b)(7); Stewart v. Thorpe Holding Co. Profit Sharing Plan, 207 F.3d 1143 (9th Cir. 2000); Metropolitan Life Ins. Co. v. Marsh, 119 F.3d 415 (6th Cir. 1997); Metropolitan Life Ins. Co. v. Cronenwett, 162 F. Supp.2d 889 (S.D. Ohio 2001); Tolstad v. Tolstad, 527 N.W.2d 668 (ND 1995). But cf. Deaton v. Cross, 184 F. Supp.2d 441 (D. Md. 2002); Rudolph v. Public Service Co. of Colorado, 847 F. Supp. 152 (D. Colo. 1994); Equitable Life Assurance Soc'y v. Crysler, 66 F.3d 944 (8th Cir. 1995).

3. What effect, if any, does this have upon the parties' respective rights to the policy proceeds?

**PLAINTIFF'S COUNSEL**

**DEFENDANT'S COUNSEL**

_____	_____
_____	_____
_____	_____
_____	_____

cc: { } All counsel

DOCUMENT NO: \_\_\_\_\_  
CIVIL MINUTES

Civil Minutes

Honorable Owen M. Panner